In response, Applicant declares that Applicant has faithfully complied with the requirements of 37 C.F.R. § 1.56, and that the subject matter of all the claims of the present patent application were commonly owned at the time any inventions covered therein were made.

III.   Discussion of Rejection of Claims 1, 11, 20, and 23 Under 35 U.S.C. § 103(a)

Claims 1, 11, 20, and 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,751,933 to Dev et al. (hereinafter "Dev") in view of WO 95/09387 to Weele et al.

To establish a prima facie case of obviousness, the Examiner must at least show that the prior art references when combined teach or suggest all the claim limitations. M.P.E.P. § 2142. Applicant respectfully submits, however, that neither Dev nor Weele, singly or in combination, teach or suggest a method of monitoring alerts comprising "allowing a user to selectively disable or enable automatic display of one or more of said alerts by selecting or deselecting a corresponding alert type in [a] graphic display." This feature is recited verbatim in amended Claim 1 and is substantially incorporated in amended Claims 11, 20, and 23. Therefore, Applicant submits that Claims 1, 11, 20, and 23, would not have been made obvious by, and hence are patentable over, the references of record.

With regard to unamended Claim 1, the Examiner states that Dev teaches the invention substantially as claimed, but that "Dev fails to teach the claimed limitation of allowing the user to selectively enable or disable a future display of one or more said alerts to the user by selecting or deselecting a corresponding alert type." However, the Examiner takes the position that Weele teaches that claimed limitation. The Examiner supports this conclusion by pointing out that Weele teaches a management console having a display [28], the display [28] having an unacknowledged alert window [46], and an active alarms window [48] which lists all acknowledged and unacknowledged alarms. Further, the Examiner adds, Weele teaches that the operator may manipulate the interface screen display so that alarms in unacknowledged alarms window [46] are not displayed there and are moved automatically to active alarms window [48], "which can be obfuscated or iconized and rendered undisplayable."

Applicant respectfully submits that neither Dev nor Weele teach "allowing a user to selectively disable or enable automatic display of one or more of said alerts to the user by selecting or deselecting a corresponding alert type in said graphic display," as recited in amended

Claim 1. (emphasis added). Weele teaches that an alert appearing in the unacknowledged alert window [46] may be selected by the operator for transferring the alert to an active alarm window [48]. The active alarm window [48] may then be obfuscated, iconized, or rendered undisplayable by the operator. However, Weele does not teach that an "operator may manipulate the interface screen display so that alarms in unacknowledged alarms window [46] are not displayed there and are moved automatically to active alarms window [48]," as posited by the Examiner. (emphasis added). Rather than allowing the disabling or enabling of automatic display of alerts, Weele's system requires that for each alert the operator must intervene. That is, to remove the alarm from view, the operator is required to manually select each alarm issued for transferring it from the unacknowledged alarms window [46] to the active alarms window [48].

Moreover, Weele teaches that the unacknowledged alarms window [46] "cannot be moved, iconized, or closed." Weele at page 17, line 33. Although the unacknowledged alarms window [46] "can be covered by another window," Weele states that this is possible only "if there are no unacknowledged alarms present." Id. at page 17, lines 34-35. In fact, "the information listed in the unacknowledged alarm window [46] will remain fully visible whenever there are any unacknowledged alarms." Id. at page 49, lines 18-19. Furthermore, Weele states, "no filtering . . . is allowed in the Unacknowledged Alarm Overview Window." Id. at page 49, line 23. It should now be clear that, because no filtering of unacknowledged alarms is allowed, in Weele's system an alarm will necessarily be displayed in the unacknowledged alarms window [46] every time that an event issues the alarm. That is, in the Weele system the operator does not have the option to "disable or enable automatic display or one or more . . . alerts to the user by selecting or deselecting a corresponding alert type," as recited in amended Claim 1.

Therefore, because neither Dev nor Weele teach or suggest all the limitations recited in amended Claim 1, Applicant respectfully submits that amended Claim 1 is patentable over the references of record.

The Examiner rejected Claims 11, 20, and 23 on the same grounds for rejection Claim 1. Applicant has amended Claims 11, 20, and 23 to clarify that the method recited in each of those claims allows for selectively disabling or enabling automatic display of an alert (or multiple alerts) corresponding to an alert type. As already discussed, Applicant respectfully submits that neither Dev nor Weele, singly or in combination, teach or suggest this feature of the subject

claims. Consequently, Claim 11, 20, and 23 are patentable over the references of record for at least this reason.

Additionally, the following groups of claims designated by brackets {2-10, 32, and 33}, {12-19, 34, and 37}, {21, 22, and 35}, {24-31, 36, and 38} each includes claims that individually depend either directly or indirectly from Claims 1, 11, 20, or 23 respectively. Consequently, pursuant to 35 U.S.C. § 112, ¶ 4, each of the claims in each of these groups incorporates by reference all the limitations of the claims from which they respectively depend. Therefore, Applicant respectfully submits that Claims 2-10, 12-19, 21, 22, and 24-38 are also patentable for this reason and the other features they respectively recite.

CONCLUSION

The Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims for patentability purposes, the reasons therefore, and arguments in support of the patentability of the pending claim set are presented above. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: _____ 1 2 / 1 4 / 9 1 _____   By: _____

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